

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALEJANDRO FRIXIONE,
 #1045558

Plaintiff,

vs.

HOWARD SKOLNIK, *et al.*,

Defendants.

2:10-cv-01119-RLH-LRL

ORDER

On October 4, 2010, the court issued an Order directing plaintiff to file a second amended complaint, if he chose, within thirty (30) days, and if not, allowing plaintiff's complaint to proceed on certain claims (docket #6). Plaintiff's second amended complaint, if any, was due on November 3, 2010. Plaintiff has not responded to the court's Order in any manner. Accordingly, plaintiff's amended complaint will proceed in conformance with that Order (docket #6).

IT IS THEREFORE ORDERED that this action shall proceed in conformance with the court's Order dated October 4, 2010 (docket #6).

IT IS FURTHER ORDERED that the Clerk shall electronically serve a copy of this order, along with a copy of plaintiff's amended complaint, on the Office of the Attorney General of the State of Nevada, attention Pamela Sharp. The Attorney General shall advise the court within

1 **twenty-one (21) days** of the date of entry of this order whether they can accept service of process for
2 the named defendants and the last known address under seal of the defendants for which they cannot
3 accept service. If the Attorney General accepts service of process for any named defendant(s), such
4 defendant(s) shall file and serve an answer or other response to the complaint within **thirty (30) days**
5 of the date of the notice of acceptance of service.

6 **IT IS FURTHER ORDERED** that henceforth, plaintiff shall serve upon defendants, or,
7 if an appearance has been made by counsel, upon their attorney(s), a copy of every pleading, motion, or
8 other document submitted for consideration by the Court. Plaintiff shall include with the original paper
9 submitted for filing a certificate stating the date that a true and correct copy of the document was mailed
10 to the defendants or counsel for defendants. If counsel has entered a notice of appearance, the plaintiff
11 shall direct service to the individual attorney named in the notice of appearance, at the address stated
12 therein. The Court may disregard any paper received by a district judge or a magistrate judge that has
13 not been filed with the Clerk, and any paper which fails to include a certificate showing proper service.

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15 DATED this 17th day of November, 2010.

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17 UNITED STATES MAGISTRATE JUDGE
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1
2 Name

3 Prison Number

4 Address

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7 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

8 _____,)
9 Plaintiff,)
10 v.)
11 _____)
12 Defendants.)
13 _____)

Case No. _____

**NOTICE OF INTENT TO
PROCEED WITH MEDIATION**

14 This case may be referred to the District of Nevada's early inmate mediation program. The
15 purpose of this notice is to assess the suitability of this case for mediation. Mediation is a process by
which the parties meet with an impartial court-appointed mediator in an effort to bring about an
expedient resolution that is satisfactory to all parties.

16 1. Do you wish to proceed to early mediation in this case? ____ Yes ____ No

17 2. If no, please state the reason(s) you do not wish to proceed with mediation? _____

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21 3. List any and all cases, including the case number, that plaintiff has filed in federal or state court
22 in the last five years and the nature of each case. (Attach additional pages if needed).

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26 4. List any and all cases, including the case number, that are currently pending or any pending
grievances concerning issues or claims raised in this case. (Attach additional pages if needed).

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5. Are there any other comments you would like to express to the court about whether this case is suitable for mediation. You may include a brief statement as to why you believe this case is suitable for mediation. (Attach additional pages if needed).

This form shall be filed with the Clerk of the Court on or before thirty (30) days from the date of this order.

Counsel for defendants: By signing this form you are certifying to the court that you have consulted with a representative of the Nevada Department of Corrections concerning participation in mediation.

Dated this ____ day of _____, 20____.

Signature

Name of person who prepared or
helped prepare this document